IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FOURTH DAY OF NOVEMBER
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE V.ESWARAIAH**

**WRIT PETITION No. 25085 of 2005**

Between:

Nimmala Vasudeva Rao

**..... PETITIONER**

AND

The Revenue Divisional Officer, Narasaraopet,

Guntur District and another

**.....RESPONDENTS**

**ORDER:**

Seeking a Mandamus, directing the respondents not to terminate petitioner fair price shop dealership allotted to the petitioner vide orders in Rc.No.1458/2003-B, dated 01.04.2004 by the 1st respondent, except according to the procedure prescribed by law, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

The petitioner submits that he is an authorized fair price shop dealer and his dealership has been extending from time to time, and he has been supplying the essential commodities to the cardholders by strictly following the control orders and the conditions imposed for the dealership. It is further stated that he has deposited a sum of Rs.27,057/- on 07.11.2005 for lifting of stocks and the 2nd respondent also issued release order on 09.11.2005, and he has lifted the stocks from the godown and started distributing the stocks to the cardholders. It is further stated after one week, the 2nd respondent summoned him to produce all the account books for verification, and accordingly the petitioner submitted all the account books before the 2nd respondent, but till today the account books have not yet been returned to the petitioner. The petitioner apprehends that the respondents may cancel his dealership without following due procedure, and therefore, he is constrained to file this writ petition.

Only on assumptions and presumptions, this writ petition has been filed and therefore, the writ petition is not maintainable as it is premature, and there is no cause of action initiated by the respondents. I am of the opinion that without following due procedure prescribed in law, the dealership of the petitioner cannot be terminated. But, however, in the absence of any action initiated by the respondents, no relief can be granted in this writ petition.

Accordingly, the Writ Petition is dismissed. No order as to costs.

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**V.ESWARAIAH,J**

Dated: 24.11.2005

Dsr